

168

MEMORANDUM

TO: Bo Development Authority
FROM: Hale Champion, Director
DATE: February 20, 1969
SUBJECT: BOARD OF APPEAL REFERRALS

13⁰⁰ 2/20

Re: Petition No. Z-1385
Roberta Samel
8-16 Stoneholm Street, Boston

Petitioner seeks two variances to change occupancy from garage and repairs to 127 apartments and garage in an Apartment (H-3) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 15-1 Floor area ratio is excessive	3.5	3.8
Sect. 17-1 Usable open space is insufficient	100 sf/du	69 sf/du

The property, located on Stoneholm Street near the intersection of Stoneholm and Edgerly Streets, contains a five story brick parking and repair garage. The petitioner proposes to retain 99 parking spaces on the two lower floors; convert the 3rd, 4th and 5th floors to apartments and add two new floors of apartments. The new floors will cover less floor area than the main building and will provide 6059 square feet of roof space to be developed for recreational purposes including a swimming pool. Additional open space will be provided on apartment balconies. The proposal generally conforms to the land use and height objectives of the Fenway Urban Renewal Plan. The proposal is desirable and would not adversely effect the area. Recommend approval.

VOTED: That in connection with Petition No. Z-1385, brought by Roberta Samel, 8-16 Stoneholm Street, Boston, for variances of insufficient open space and excessive floor area ratio to change occupancy from garage and repairs to 127 apartments in an Apartment (H-3) district, the Boston Redevelopment Authority recommends approval. The proposed conversion to apartment and accessory parking use generally conforms to the land use and height objectives of the Fenway Urban Renewal Plan. The proposal is desirable and would not adversely effect the area.

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Re: Petition No. Z-1386
Sal and Guy Conigliaro
21-27 Swan Avenue, East Boston

Petitioner seeks a non-conforming use permit to erect a $2\frac{1}{2}$ story-44 unit-apartment structure in an Industrial (I-2) district. The proposal would violate the code as follows:

Sect. 8-7 A multi-family dwelling is a Forbidden use
in an I-2 district.

The property, located on Swan Avenue near the intersection of Swan Avenue and Leverett Street, contains 33,000 square feet of vacant land. The area, although zoned for Industrial use, has been developing along residential lines. Residential use of this vacant parcel would reinforce and protect existing residential structures. However, the present proposal seeks an excessive density, insufficient open space, and inappropriate parking in front yards. The staff recommends that a zoning map change be instituted from Industrial to a suitable residential category to protect the existing residential uses and provide suitable zoning controls for further residential development. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-1386, brought by Sal and Guy Conigliaro, 21-27 Swan Avenue, East Boston, for a non-conforming use permit to erect a $2\frac{1}{2}$ story-44 unit-apartment structure in an Industrial (I-2) district, the Boston Redevelopment Authority recommends denial as submitted. The area, although zoned for Industrial uses, has developed along residential lines. The proposed apartment development is excessive in density, insufficient in open space and inappropriate off-street parking.

The Authority recommends that this general area be rezoned, from an I-2 to a suitable residential category, in order to protect and strengthen existing residential development in the area and to provide suitable zoning controls for further residential development.



21-27 SWAN AVE.
Z-1386
(E.B.)

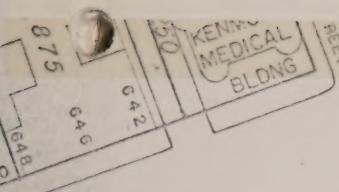
Re: Petition No. Z-1387
Norman A. Chaletsky, Trustee
485 Commonwealth Avenue and
607 Beacon Street, Boston

Petitioner seeks a non-conforming use permit to change occupancy from eight apartments and a retail store to eight apartments and a restaurant in an Apartment (H-4) district. The proposal would violate the code as follows:

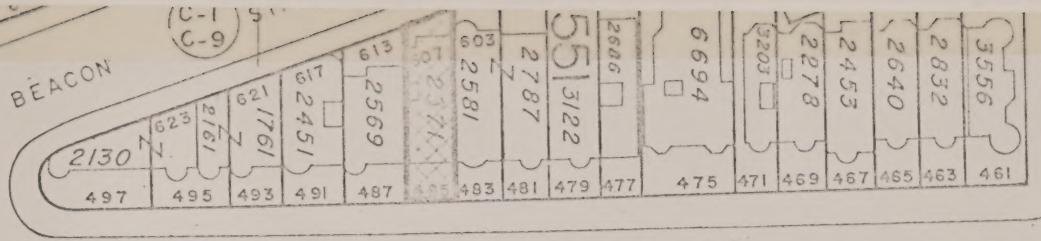
Sect. 9-2 The change of an existing non-conforming use to another non-conforming use requires a Board of Appeal hearing.

The property, located on Commonwealth Avenue and Beacon Street between Charlesgate West and Kenmore Square, contains a four story brick structure. It appears that exterior changes have been made to the building in anticipation of the change in use. The front yard on the Commonwealth Avenue side has been completely paved with steps the full width of the lot going down to the basement level. Picture windows and new doors have been added on both frontages. The staff feels that the proposed use is suitable, as a supporting service to the institutional-residential character of the area but considers the architectural changes unfortunate, particularly the lot wide stairs which interrupt the architectural continuity of the Commonwealth Avenue facade. The staff recommends granting the change in use with a proviso that the width of the access steps be reduced and the effect of other changes be mitigated to the satisfaction of the Urban Design Department of the Boston Redevelopment Authority. Recommend approval with above proviso.

VOTED: That in connection with Petition No. Z-1387, brought by Norman A. Chaletsky, Trustee, 485 Commonwealth Avenue and 607 Beacon Street, for a non-conforming use permit to change occupancy from eight apartments and retail store to eight apartments and restaurant in an Apartment (H-4) district, the Boston Redevelopment Authority recommends granting a non-conforming use permit with a proviso that the width of the steps on the Commonwealth Avenue frontage be reduced and other changes be effected which the Urban Design Department of the Boston Redevelopment Authority shall require in order to preserve the architectural continuity of the Commonwealth Avenue and Beacon Street facades.



ARE
TATION



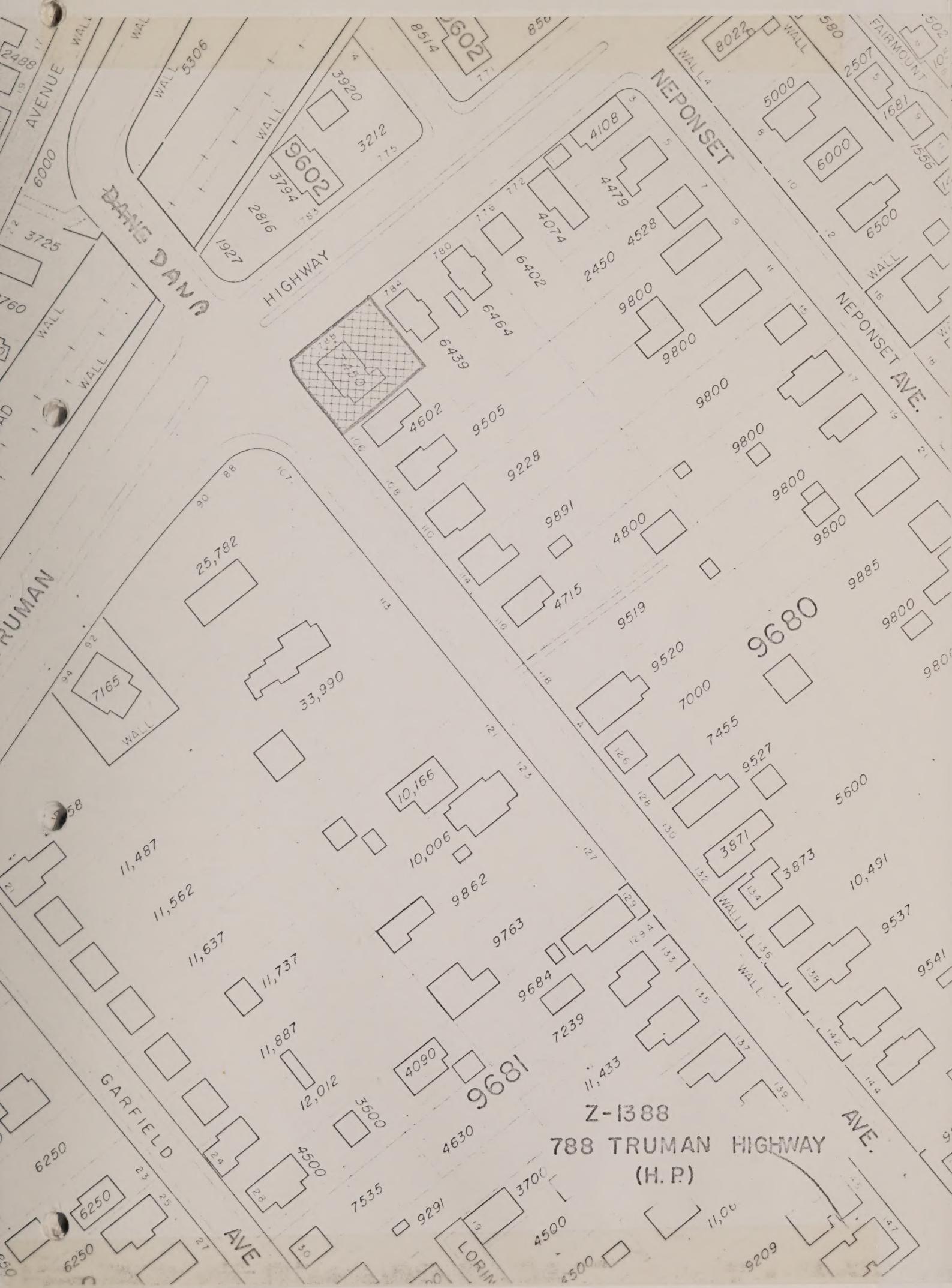
Re: Petition No. Z-1388
Ralph Vozzella
788 Truman Highway, Hyde Park

Petitioner seeks two variances to erect a two car garage in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 19-3	Accessory garage in side yard is nearer to front lot line than allowed	61 ft.	45.6 ft.
Sect. 20-2	Accessory garage in rear yard is nearer to side lot line than allowed and occupies more than 25% of rear yard.	4 ft. max. 25%	2 ft. 40%

The property, located on Truman Highway at the intersection of Truman Highway and Dana Avenue, contains a two family residence. Because of the location of the house on the parcel, it is impossible to add a garage without conflicting with side yard regulations. The staff feels that the violation is minor and would not seriously effect adjacent parcels. Recommend approval.

VOTED: That in connection with Petition No. Z-1388, brought by Ralph Vozzella, 788 Truman Highway, Hyde Park, for variances of accessory garage nearer to front, side and rear lot lines than allowed and accessory garage occupies more than 25% of rear yard to erect a two car garage in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The violations arise because of the shape of the parcel and the location of the house on the parcel. A variance would not adversely effect abutting property owners.



Re: Petitions Nos. Z-1389 & Z-1390
 Vito A. Barressi
 128-130 & 132-134 Emerson Street,
 South Boston

Petitioner seeks two non-conforming use permits and six variances to change occupancy from six apartments and store to seven apartments and to change occupancy from six apartments and store to eight apartments in a Local Business (L-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
<u>128-130 Emerson Street</u>	- 6 apartments and store to 7 apts.		
Sect. 8-7	A dwelling converted for more families and not meeting at least $\frac{1}{2}$ the requirements of lot area, open space and parking is Forbidden in an L-1 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sf/du	0
Sect. 17-1	Open space is insufficient	400 sf/du	12 sf/du
Sect. 23-7A	Off-street parking insufficient	1 space	0
<u>132-134 Emerson St.</u>	- 6 apts. and store to 8 apts.		
Sect. 8-7	A dwelling converted for more families and not meeting at least $\frac{1}{2}$ the requirements of lot area, open space and parking is Forbidden in an L-1 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sf/du	0
Sect. 17-1	Open space is insufficient	400 sf/du	12 sf/du
Sect. 23-7A	Off-street parking insufficient	2 spaces	0

The property, located on Emerson Street at the intersection of Emerson and I Streets, contains a four story brick duplex dwelling. In 1966 a variance was granted to increase the occupancy of each building from three families and one store to six families and one store. The petitioner presently proposes an additional increase in apartment units. The area is highly developed and has existing off-street parking and traffic circulation problems. The staff is of the opinion that an increase in residential occupancy would create an undesirable land use density for this parcel. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1389 & Z-1390, brought by Vito A. Barressi, 128-130 & 132-134 Emerson Street, South Boston, for two non-conforming use permits and variances of insufficient lot area for additional dwelling unit, open space and off-street parking to change occupancy from six apartments and store to seven apartments and six apartments and store to eight apartments in a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial. In 1966 the petitioner was granted permission to increase the occupancy of these buildings from 3 families and a store to 6 families and a store. The Authority is of the opinion that further increases would create an undesirable land use density for this parcel.

Re: Petition No. Z-1391
Anthony O'Tolo
10 Dorrance Street, Charlestown

Petitioner seeks a variance to erect a one story office, manufacturing and food processing plant in an Industrial (I-2) district. The proposal would violate the code as follows:

Sect. 20-1 Rear yard is insufficient

<u>Req'd.</u>	<u>Proposed</u>
12 ft.	0

The property, located on Dorrance Street at the intersection of Dorrance and Temple Streets, contains 14,486 square feet of vacant land. This industrial area is relatively undeveloped and appears to be declining in appearance and condition. The proposed development is highly desirable, however, the staff is of the opinion that the rear yard violation is unnecessary and would encroach upon the existing buildings to the rear of this parcel. Recommend approval provided that the petitioner complies with the rear yard provision.

VOTED: That in connection with Petition No. Z-1391, brought by Anthony O'Tolo, 10 Dorrance Street, Charlestown, for a variance of insufficient rear yard to erect a one story office, manufacturing and food processing plant in an Industrial (I-2) district, the Boston Redevelopment Authority recommends approval provided that the petitioner complies with the rear yard provisions of the zoning code. This industrial area is relatively undeveloped and appears to be declining in appearance and condition. The proposed development is highly desirable, however, the Authority is of the opinion that the rear yard violation is unnecessary and would encroach upon the existing buildings to the rear of this parcel.

Re: Petition No. Z-1392
Joseph Bruno
16 Brookdale Street, Roslindale

Petitioner seeks two variances to erect a one family dwelling in a Residential (R-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-3 Lot width is insufficient	50 ft.	40 ft.
Sect. 14-4 Street frontage is insufficient	50 ft.	40 ft.

The property, located on Brookdale Street between Ridge and Florence Streets, contains a cinder block garage on a lot area of 3304 square feet. The petitioner proposes to raze the garage and construct a single family structure. The irregularly shaped lot prohibits the petitioner from complying with the lot width and street frontage provisions of the zoning code. The proposal, however, would be an improvement to the appearance of this area. Recommend approval.

VOTED: That in connection with Petition No. Z-1392, brought by Joseph Bruno, 16 Brookdale Street, Roslindale, for variances of insufficient lot width and street frontage to erect a one family dwelling in a Residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The petitioner proposes to raze an existing concrete garage structure and erect a single family residence. The irregularly shaped parcel prohibits the petitioner from complying with the lot width and street frontage provisions of the zoning code. The proposal would be an improvement to the appearance of this area.

Re: Petition No. Z-1393
Aleksejs Panous
15 Carol Circle, West Roxbury

Petitioner seeks a non-conforming use permit to erect a two family dwelling in a Single Family (S-.5) district. The proposal would violate the code as follows:

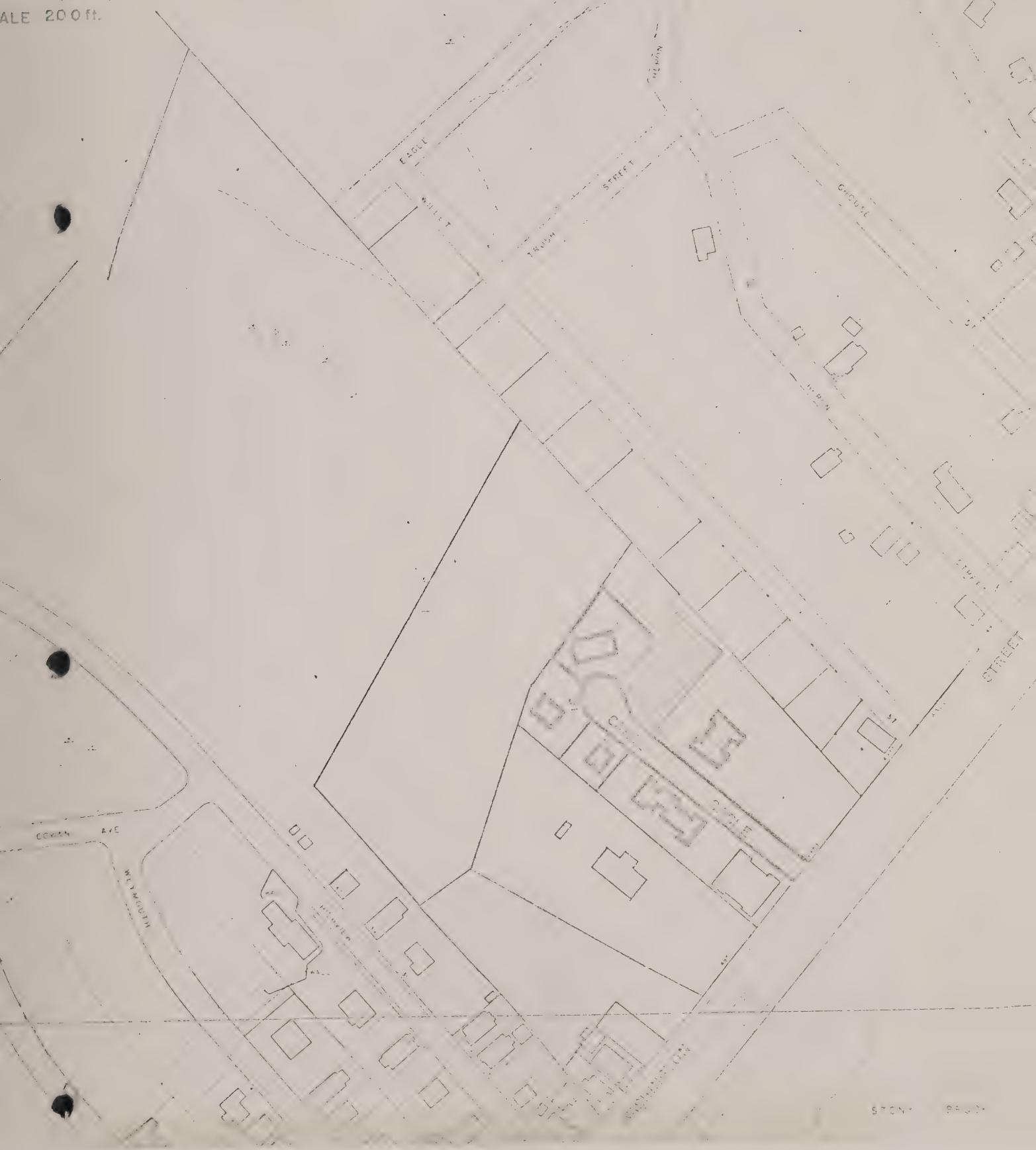
Sect. 8-7 A two family dwelling is Forbidden in an S-.5 district. The property, located on Carol Circle near the intersection of Carol Circle and Washington Street, contains 14,975 feet of vacant land. The parcel is adjacent to an apartment structure and a single family residence. The lot area is more than sufficient to develop a two family residence and the proposed use would serve as a transitional buffer between the adjacent land uses. Recommend approval.

VOTED: That in connection with Petition No. Z-1393, brought by Aleksejs Panous, 15 Carol Circle, West Roxbury, for a non-conforming use permit to erect a two family dwelling in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The parcel is adjacent to an apartment structure and a single family residence. The lot area is more than sufficient to develop a two family residence and the proposed use would serve as a transitional buffer between the adjacent land uses.

Z-1010

15 CAROL CIRCLE

(W.R.)
SCALE 200 ft.



Re: Petition No. Z-1394
 Pagnani & Stisi
 96 Sutherland Road, Brighton

Petitioner seeks five variances to erect a three story and basement-23 unit-apartment structure in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 10-1	Parking not allowed in front yard		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sf/du	610 sf/du
Sect. 15-1	Floor area ratio is excessive	1.0	1.10
Sect. 17-1	Usable open space is insufficient	400 sf/du	186 sf/du
Sect. 18-1	Front yard is insufficient	20 ft.	12 ft.

The property, located on Sutherland Road at the intersection of Sutherland Road and Kinross Road, contains a two family dwelling on a lot area of approximately 18,400 square feet. The petitioner proposes to raze the existing building and construct an apartment building. The proposed apartment use is consistent with the existing apartment zoning for this area, however, the various zoning violations reflect an over development of this site. The area has extremely narrow one way streets and poor traffic circulation. The staff is of the opinion that the petitioner should be required to meet the zoning provisions of the existing H-1 zoning district. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-1394, brought by Pagnani & Stisi, 96 Sutherland Rd., Brighton, for variances of parking not allowed in front yard, insufficient lot area for additional dwelling unit, open space, front yard and excessive floor area ratio, to erect a three story and basement apartment structure in an Apartment (H-1) district, the Boston Redevelopment Authority recommends denial as submitted. The proposed apartment use is consistent with the existing apartment zoning for this area. The various zoning violations, however, reflect an over development of this site. The area has extremely narrow one way streets and poor traffic circulation. The Authority is of the opinion that the petitioner should comply with the zoning provisions of the existing H-1 zoning district.

Z-1394
96 SUTHERLAND RD.
(B.R.I.)

AVENUE

ROAD

COMMONWEALTH

CHISWICK

9681

WAL
22,83
9248

ROAD
L 66

50°^a0

2247 PARKIN

88
252

63

ROAD

ROAD

STRATHMORE

6 104
797 659

MORE

SWICK

87

10

27,4

16

6624

80

ERLAND

29

275

17

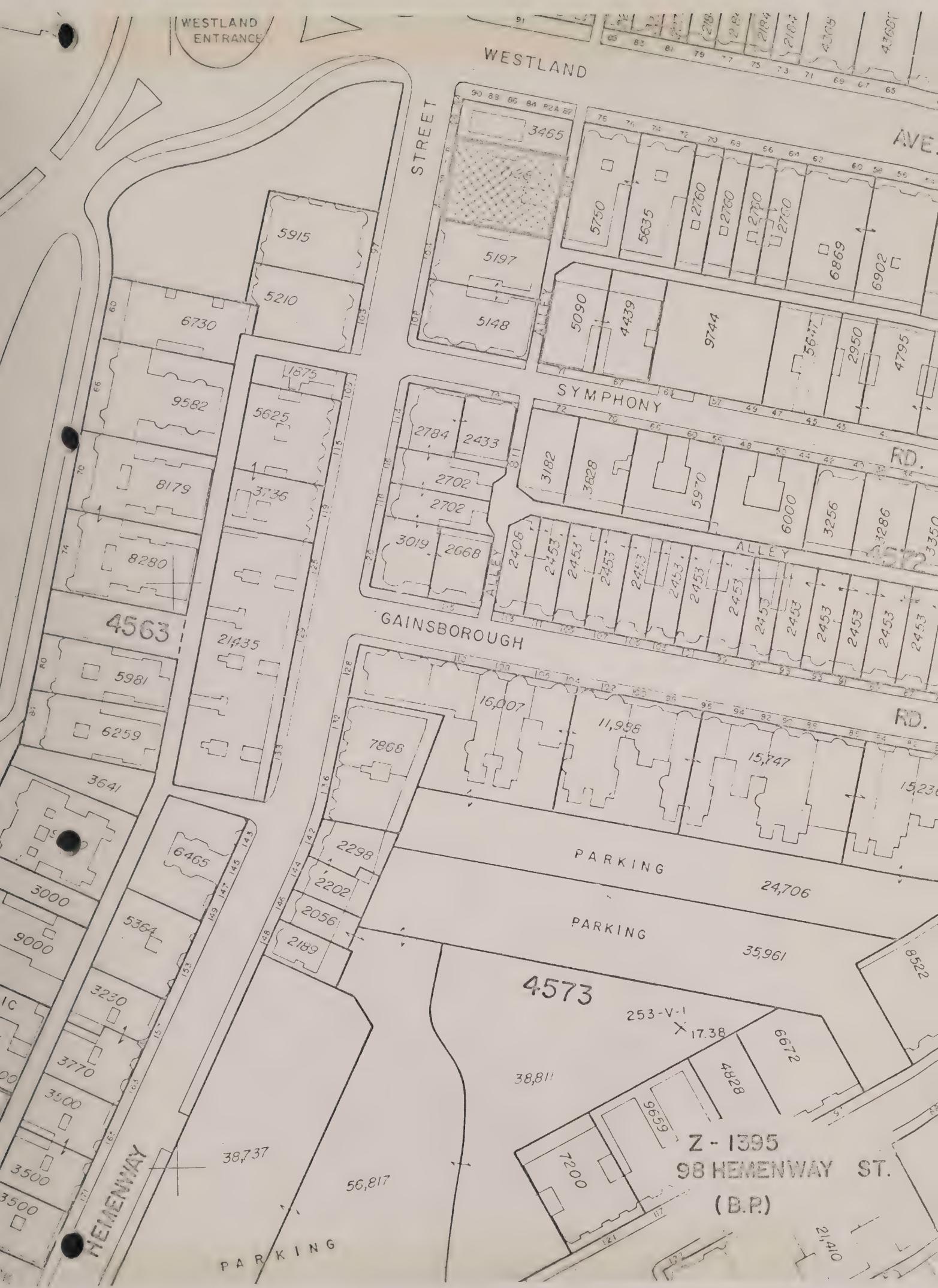
Re: Petition No. Z-1395
American Music Foundation
98 Hemenway Street, Boston

Petitioner seeks a conditional use permit and a variance for a change of occupancy from a lodging house to a dormitory for 80 students in an Apartment (H-3) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A dormitory is a Conditional Use in an H-3 district.		
Sect. 23-1	Off-street parking is insufficient	6 spaces	0

The property, located on Hemenway Street, near the intersection of Hemenway Street and Westland Avenue, contains a five story brick structure. The staff feels that a change to dormitory use is contrary to the objectives of the Fenway Urban Renewal Plan in protecting the residential neighborhood from further institutional growth. Furthermore, the absence of off-street parking would intensify the traffic congestion which presently exists in the area. Recommend denial.

VOTED: That in connection with Petition No. Z-1395, brought by American Music Foundation, 98 Hemenway Street, Boston, for a conditional use permit and a variance of insufficient off-street parking for a change of occupancy from a lodging house to a dormitory for 80 students in an Apartment (H-3) district, the Boston Redevelopment Authority recommends denial. A change to dormitory use is contrary to the objectives of the Fenway Urban Renewal Plan in protecting this residential neighborhood from further institutional growth. The lack of off-street parking would place additional strain on an area which already has severe parking problems.



Re: Petition No. Z-1396
Glencoe Realty Trust
35 Glencoe Street, Brighton

Petitioner seeks a conditional use permit and a variance to change occupancy from 35 to 38 apartments in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A dwelling converted for more families and not meeting the lot area requirements is a conditional use in an H-1 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sf/du	939 sf/du

The property, located on Glencoe Street at the intersection of Glencoe and Saybrook Streets, contains a three story apartment structure. The petitioner proposes to convert the basement storage area into three apartment units. The zoning violation is minimal and the proposal is consistent with the apartment oriented character of the area. Recommend approval.

VOTED: That in connection with Petition No. Z-1396, brought by Glencoe Realty Trust, 35 Glencoe Street, Brighton, for a conditional use permit and a variance of insufficient lot area for additional dwelling unit to change occupancy from 35 to 38 apartments in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The petitioner proposes to convert the basement storage area into 3 apartment units. The zoning violation is minimal and the proposal is consistent with the apartment oriented character of the area.

Re: Petition No. Z-1397
Fair Housing, Inc.
94 Seaver & 28 Parkview St., Roxbury

Petitioner seeks a forbidden use permit and a variance to change occupancy from a two family dwelling to offices of social service agency in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A social service agency is forbidden in an H-1 district.		
Sect. 23-1	Off-street parking is insufficient	8 spaces	2 spaces

The property, located on Seaver Street at the intersection of Seaver and Parkview Streets, in the Washington Park Urban Renewal Area, contains a two family dwelling and two car garage. The building and the location are primarily residential in character. The staff recommends that a variance for occupancy be restricted to a non-profit social service use and not extend to any other commercial uses included in Use Item #40. The staff recommends that the garage and driveway space be fully utilized to provide the maximum amount of off-street parking. Recommend approval with above provisos.

VOTED: That in connection with Petition No. Z-1397, brought by Fair Housing, Inc., 94 Seaver and 28 Parkview Streets, Roxbury, for a non-conforming use permit and a variance of insufficient off-street parking to change occupancy from a two family dwelling to office of social service agency in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval with the following provisos: first that the use permit be restricted to a non-profit social service agency and not include other commercial uses allowed under Use Item #40 and that the garage and driveway space be fully utilized to provide the maximum amount of off-street parking facilities.



Re: Petition No. Z-1398
 Warren Hall Trust
 329-343 Washington St., Brighton

Petitioner seeks a non-conforming use permit and four variances to change occupancy from offices, stores and 12 apartments to offices, stores and 33 apartments in a General Business (B-1) District. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Prop.</u>
Sect. 14-2.	Lot area for additional dwelling unit is insufficient.	1500sf/du	267sf/du
Sect. 15-1.	Floor area ratio is excessive.	1.0	1.8
Sect. 17-1.	Usable open space is insufficient.	800sf/du	77sf/du
Sect. 23-7a.	Off-street parking for additional dwelling units.	19 spaces	16 spaces

The property, located on Washington Street between Waldo Terrace and Market Street, contains a brick structure, with stores on the ground floor, apartments on the second, and a third floor which was once a ball room. The petitioner plans to construct two additional floors in the ball room space for apartments. Last April, the petitioner requested an increase in the number of apartments from 12 to 41 with no off-street parking facilities. Since then he has acquired additional land and plans to raze a structure to provide 16 off-street parking spaces. He has reduced the number of proposed apartments from 41 to 33. The staff feels that the advantages of the proposed occupancy and provision of much needed housing in the area, outweigh the lack of open space and other deficiencies. Recommend approval.

VOTED: That in connection with Petition No. Z-1398, brought by Warren Hall Trust, 324-343 Washington Street, Brighton, for a non-conforming use permit and variances of insufficient lot area for additional dwelling unit, open space, off-street parking and excessive floor area ratio to change occupancy from offices, stores, and 12 apartments to offices, stores and 33 apartments in a General Business (B-1) District, the Boston Redevelopment Authority recommends approval. The petitioner is providing 16 of the 19 new parking spaces required and has reduced the number of apartments from the 41 requested last April to 33. The proposed use would utilize unused space in the structure to provide desired housing in the area.



Re: Petition No. Z-1399
Housing Innovations, Inc.
86 Brunswick Street, Roxbury

Petitioner seeks a Forbidden Use Permit to change occupancy from two family dwelling to one family and offices in an Apartment (H-1) district. The proposal would violate the code as follows:

Sect. 8-7 A real estate office is Forbidden in an H-1 district.

The property, located on Brunswick Street near the intersection of Brunswick Street and Blue Hill Avenue, contains a $2\frac{1}{2}$ story frame dwelling. The petitioner, Housing Improvements, Inc., seeks to use this residential structure as a temporary site office. It is the petitioner's intention to return the property to residential use within one or two years. Recommend approval.

VOTED: That in connection with Petition No. Z-1399, brought by Housing Innovations, Inc., 86 Brunswick Street, Roxbury, for a Forbidden Use Permit to change occupancy from two family dwelling to one family and offices in an Apartment (H-1) district, the Boston Redevelopment Authority recommends that a temporary, non-transferable use permit be granted for a period of time not to exceed two years. The petitioner seeks to convert this residential property into a temporary site office.

